AMENDMENTS TO THE CLAIMS:

The following listing of claims supersedes all prior versions and listings of claims in this application:

LISTING OF CLAIMS:

1. (Currently Amended) A method of transmitting data initially in a start-up mode over a network having initially undetermined transmission capacity, in which the data comprises a single first part including no alternatives therein relating to different resolutions and at least two alternative second parts in which the at least two alternative independent second parts respectively corresponding to respective different independently alternative resolutions which may be independently transmitted without regard for the other alternative second part(s), for synchronized presentation at a receiving terminal simultaneously with the first part, said method comprising:

(a) in an initial start-up mode for starting data transmission over a particular communications channel, initially transmitting at least an initial portion of only the single first part;

(b) receiving data indicative of the available transmission capacity for said initial transmission in step (a);

(c) choosing one from among the alternative independent second parts corresponding to respectively different resolutions for immediate transmission following step (b) in a second phase of said start-up mode, as a function of the data indicative of the available transmission capacity received in step (b); and

(d) thereafter, in a third phase of said start-up mode, transmitting only the chosen one independent second part and any remainder of the single first part for synchronized

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presentation at a receiving terminal simultaneously with the first part <u>during said initial start-up mode, thereby quickly achieving initial transmission of said second part at a resolution suited to available transmission capacity</u>.

2. (Previously Presented) A method according to claim 1 including the step of generating said data indicative of the available transmission capacity by monitoring the transmission by the network of the said initial portion of the single first part.

3. (Previously Presented) A method according to claim 1 in which, in an initial time period of step (d), transmission of a leading part of the chosen second part of an extent corresponding to the extent of the single first part already transmitted is performed preferentially to, or to the exclusion of, further transmission of the single first part, thereby causing the transmission of the synchronized second part to catch up with its corresponding first part.

4-7. (Cancelled)

8. (Currently Amended) A method for transmitting related audio and video digitized data representing an audio-visual presentation over a communications network having an initially undetermined transmission capacity wherein the audio data includes only a single version thereof, said method comprising:

(a) initially transmitting digitized audio data <u>of said audio-visual presentation</u> over a communications network without corresponding <u>related</u> digitized video data;

(b) determining available transmission capacity of the communications network based on said initial transmission of audio data <u>for which there is only a single version to be transmitted</u>;

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(c) selecting one of plural corresponding but different resolution <u>related</u> digitized video data <u>of said audio-visual presentation</u> as a function of the determined available transmission capacity; and

(d) thereafter continuing to transmit (i) said digitized audio data <u>in the same single available version as previously transmitted</u>, and (ii) the selected resolution <u>related</u> digitized video data over said communications network <u>as selected in step (c) to provide a coordinated audio-video presentation</u>.

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